



National Aeronautics and
Space Administration
Goddard Space Flight Center

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ANNOUNCEMENT

SUBJECT:

Redesigned Alternative Dispute Resolution Program

Our experience has shown that Alternative Dispute Resolution (ADR) can resolve disputes in a manner that is quicker, cheaper, and less adversarial than more formal processes. While ADR has been available at Goddard Space Flight Center (GSFC) for over 10 years, it has been officially offered only in the EEO complaint process. ADR processes have been so successful throughout all levels of Federal and state government that Goddard is expanding the scope of ADR offered to employees to include general workplace disputes and grievances. I am pleased to announce the creation of a new redesigned GSFC ADR pilot program.

ADR is an umbrella term that includes a number of processes designed to resolve disputes including facilitation, mediation and facilitated negotiation. Mediation, the foundation of the GSFC ADR program, uses a neutral third party called a mediator to help participants reach early resolution and improve their working relationship. Unlike traditional dispute resolution methods, the parties in mediation create their own agreement. Participants in mediation have the right to representation including union representation. Supervisors and managers are strongly encouraged to participate in mediation, where appropriate, when another GSFC employee requests their participation.

The new ADR program offers mediation, facilitation and facilitated negotiations to non-bargaining unit employees, members of the American Federal of Government Employees (AFGE) and Washington Area Metal Trades Council (WAMTC). Currently, Goddard Engineers, Scientists, and Technicians Association (GESTA) members may only use mediation to resolve EEO matters.

Elly Cleaver, ADR Program Manager, comes to GSFC from the Natural Resources Conservation Service where she successfully designed, implemented and managed their ADR program. An experienced mediator and facilitator, Mrs. Cleaver has a wealth of experience in the field of ADR. If you have an issue or concern and you think mediation might help, please contact her at (301) 286-0482.

I ask you to join me in recognizing ADR as an important tool for maintaining open communication, improving working relationships and the quality of work life, and getting and keeping people involved in the Center's work.

W. J. J. J. J.
for A. V. Diaz
Director

Enclosure

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MEDIATION FACTSHEET

NASA GODDARD SPACE FLIGHT CENTER

WHAT IS MEDIATION? Mediation, one of the most popular Alternative Dispute Resolution (ADR) processes, is a problem solving method designed to assist individuals experiencing conflict with creating a mutually satisfactory resolution of their

differences. Mediation is informal, voluntary, fast, future focused, voluntary and confidential to the extent allowed by law. Mediation is noted for being an effective means for improving communications and building relationships. While mediation is offered as an early intervention process to resolve general workplace concerns, it is also offered as a means to resolve a Grievance and an Equal Employment Opportunity (EEO) complaint. Mediation differs from litigation in that it is not designed to determine who is right or wrong. In mediation, the participants work together to create their own mutual agreement with the assistance of the mediator. Unlike litigation, where a judge imposes a decision, nothing is decided in mediation unless all parties agree to the terms. Participants in mediation have the right to representation, i.e. Union Representation or Attorney.

WHAT IS A MEDIATOR? A mediator is an unbiased, neutral third party who assists the parties in resolving their issues and concerns. A mediator is someone who is trained in dispute resolution and has no direct authority to impose a decision on the parties in conflict.

WHAT IS THE PROCESS?

1. GSFC Federal employees may request mediation by calling (301) 286-0482. All parties to a dispute must agree to participate in mediation. Bargaining unit members should check with their respective bargaining unit to determine when mediation is available to them.
2. If the issue or concern is appropriate for mediation, the mediator schedules the mediation session, which begins with an explanation of the process. Then each person states the issue from his/her perspective. Finally, everyone works together to explore possible solutions.
3. If a resolution is reached, it is typically put in writing and signed by the participants. If the issue is not resolved, the mediator explains other available forms of redress.
4. If a resolution is reached, the GSFC ADR Program will follow up with participants to ensure that it is working.

HOW LONG WILL I BE IN MEDIATION? A workplace dispute may take anywhere from 3 hours to all day. In some cases a second or third meeting might be necessary, especially if the dispute has a long history or involves multiple parties and multiple issues.

WHY SHOULD I MEDIATE?

- Mediation offers participants an opportunity to communicate directly in a non-threatening forum.
- Mediation offers a private place available to discuss issues.
- Emotional involvement in a conflict can cloud ones ability to think creatively and objectively; mediation can help participants move beyond the barriers created by emotions.
- Mediation can be healing: it offers an opportunity for participants to face each other and tell each other how the conflict has affected them personally: how they feel, how they have been hurt. Mediation is voluntary, brief, cost effective, and efficient. Formal processes are lengthy, expensive and often have an adverse affect on the relationship.

For more information, please contact: Elly Cleaver, ADR Program Manager, 301-286-0482.